

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

nlo

Mailed: March 6, 2002

Opposition No. 91121970

DIONEX CORPORATION

v.

I/O CONTROLS CORPORATION

Nancy L. Omelko, Interlocutory Attorney:

On January 28, 2002, applicant's filed a proposed amendment to its application Serial No. 75/747,768, with opposer's consent; and opposer filed a withdrawal of the opposition on February 12, 2002.

By the proposed amendment applicant seeks to change the identification of goods **from** "Electronic and electrical control products namely, automation controls, onboard computer, onboard data recorder, main bus controls, network controls, network sensor control, remote sensor controls, data logger, data recorder, input/output controls, power controls, digital LED controls, and test kit controls, excluding hydraulic control equipment and components; software for programming and operating the aforementioned electronic and electrical control products; and related user manuals" **to** "Electronic and electrical control products namely, automation

controls, onboard computer, onboard data recorder, main bus controls, network controls, network sensor control, remote sensor controls, data logger, data recorder, input/output controls, power controls, digital LED controls, and test kit controls, excluding hydraulic control equipment and components; software for programming and operating the aforementioned electronic and electrical control products; and related user manuals excluding equipment, components thereof and computer software in the field of chemical analysis." Because no answer is of record, the opposition is dismissed without prejudice. See Trademark Rule 2.106(c).

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(b), and because opposer consents thereto, it is approved and entered. See Trademark Rule 2.133(a). Inasmuch as opposer filed its withdrawal before applicant filed its answer, the opposition is dismissed without prejudice.

***By the Trademark Trial
and Appeal Board***